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Pursuant to the Article 12, paragraph 5 and the Article 14, paragraph 5 of the Law on Plant Health Protection ("Official Gazette of the Republic of Montenegro" no 28/06 and the "Official gazette of Montenegro", no 28/11), the Ministry of Agriculture and Rural development adopted the following

RULEBOOK

ON PHYTOSANITARY MEASURES FOR PREVENTING THE INTRODUCTION, SPREAD AND SUPPRESSION OF GIBBERELLA CIRCINATA NIRENBERG & O'DONNELL*

("Official Gazette of Montenegro", no. 21/12 of 18/04/2012)

Subject of the matter

Article 1

This Rulebook shall regulate the phytosanitary measures aimed at preventing the introduction, the spread and suppression of the *Gibberella circinata* Nirenberg & O'Donnell (hereinafter referred to as: specified organism), as well as measures in the event of import and movement of the specified plants.

The specified plants, in the context of this Rulebook, shall mean plants of the genus *Pinus* L. and the species *Pseudotsuga menziesii*, intended for planting, including seeds and cones for propagation purposes.

Place of production, in the context of this Rulebook, shall mean any production site, a field or collection of fields operated as a single production unit of plants, or a demarcated forestry stand.

Import of the specified organism

Article 2

A specified organism may be imported in the territory of Montenegro only for scientific purposes.

Import of the specified plants

Article 3

The specific plants originating from another country may be imported into Montenegro only if accompanied by phytosertificate containing the data that:

- 1) specified plants originate in a place of production which is registered and supervised by the national plant protection organization in the country of origin and
- 2) they have been grown throughout their life in countries where the specified organism is not known to occur or
- 3) they have been grown throughout their life in a pest-free area, established by the national plant protection organization in the country of origin in accordance with

relevant International Standards for Phytosanitary Measures, and the name of the pest-free area shall be mentioned under the rubric "place of origin" in phytosertificate or

- 4) they originate in a place of production where no signs of the specified organism have been observed during official inspections within a period of two years prior to export and have been tested immediately prior to export.

The specified plants originating from other countries may be introduced into Montenegro if, in addition to requirements referred to in paragraph 1 of this Article, they meet requirements laid down in item 1 of the List III.A, items 8.1, 8.2, 9 and 10 of the List IV.A, section I and items 7, 8, 9, 10, 11, 12, 16 and 18 of the List IV.B, of the regulations on phytosanitary measures for preventing the introduction, spread and suppression of harmful organisms to plants, plant products and regulated articles.

The specified plants which meet the conditions laid down in the paragraph 1 and 2 of this Article shall be subjected to a phytosanitary check at the place of introduction.

Movement of the specified plants

Article 4

The specified plants either originating or imported into Montenegro pursuant to Article 3 of this Rulebook, with the exception of small quantities of plants for use for non-commercial purposes, may be moved within Montenegro only if:

- 1) they are accompanied by a plant passport
- 2) they have been grown throughout their life or since their introduction into Montenegro in a place of production in the country where the organism is not known to occur; or
- 3) they have been grown throughout their life or since their introduction into Montenegro, in a place of production in a pest-free area, established by the national plant protection organization in the country of origin in accordance with relevant International Standards for Phytosanitary Measures or
- 4) specified plants originate in a place of production where no signs of the specified organism have been observed during official inspections within a period of two years prior to movement and have been tested immediately prior to movement.

The specified plants either originating or imported into Montenegro pursuant to Article 3 of this Rulebook, may be moved on the territory of Montenegro if, in addition to requirements referred to in paragraph 1 of this Article, meet the requirements set out in item 4 and 5 of the List IV.A section II, items 7, 8, 9, 10, 11, 12, 16 and 18 of the List IV.B, item 2.1 of the List V. A. I, and item 1.1 of the List V. A. II., of regulations on phytosanitary measures for preventing the introduction, spread and suppression of harmful organisms to plants, plant products and regulated articles.

Specific surveillance and suspected infestation

Article 5

For the purpose of determining the presence and preventing the spread of specified organism a systematic survey shall be conducted, i.e. specific surveillance within the

annual program of phytosanitary measures in accordance with the law.

Phytosanitary measures against the specified organism

Article 6

When the results of the specific surveillance referred to in Article 5 confirm the presence of the specified organism, or there is evidence of the establishment of this organism by other means, the area where the infestation is confirmed shall be marked as demarcated area (hereinafter referred to as: the demarcated area).

The demarcated area shall consist of the infested and buffer zone.

The infested zone referred to in paragraph 2 of this Article, shall be area where the presence of the specified organism has been confirmed and which includes all specified plants showing symptoms caused by the specified organism.

The buffer zone, referred to in paragraph 2 of this Article shall be the zone with a boundary at least 1 km beyond the infected zone.

In cases where several buffer zones overlap or are geographically close, a wider demarcated area shall be defined which includes the relevant demarcated areas and the areas between them.

The exact delimitation of the zones referred to in paragraph 2 of this Article shall be based on sound scientific principles, the biology of the specified organism and its vectors, the level of infection, the period of the year and the particular distribution of specified plants.

If the presence of the specified organism is confirmed outside the infested zone, the delimitation of the demarcated area shall be reviewed accordingly.

If, based on the specific surveillance referred to in Article 5 of this Rulebook, the specified organism is not detected in a demarcated area for a period of at least two consecutive years, this area shall cease to exist and the application of phytosanitary measures shall cease to have an effect by this Article.

In the case of the presence of specified organism, in demarcated area, the phytosanitary inspector shall order:

- 1) prohibition of the movement of the specified plants from and within the demarcated areas and
 - i) in nurseries:
 - destruction by fire of the specified plants with infection symptoms and, if necessary, of all plants from the same planting lot;
 - implementation of strict sanitary measures while destroying the plants (disinfection of equipment and tools, etc.);
 - ban on sowing and planting of the specified plants at the same area over the period of three years following the removal of infected plants;
 - b) in forestry stands, parks, vegetable plots and other areas:
 - removal and destruction by fire of branches with infection symptoms and destruction of the whole tree if the trunk is infected;
 - ban on sowing and planting of the specific plants at the same area over the period of three years following the removal of infected;
 - implementation of strict sanitary measures while destroying the plants

- (disinfection of equipment and tools, etc.);
- 2) monitoring of health status at least twice a year between May and October and
 - 3) other measures in accordance with the law.

Other measures

Article 7

Other measures aimed at preventing the introduction into and the spread within Montenegro of the harmful organism may be applied in accordance with the law.

Application

Article 8

The provision of the Article 4, paragraph 1, item 1 of this Article shall apply as of 1 January 2013.

Entering into force

Article 9

This Rulebook shall enter into force on the eighth day following that of its publication in the "Official Gazette of Montenegro".

No: 323/12-0601-183/4
Podgorica, 27 March, 2012

Minister,
Tarzan Milošević, (*manu propria*)

*This Rulebook transposes the Commission Decision of 18 June 2007 on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell